

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CAPITAL ELECTRIC CONSTRUCTION)
COMPANY,)

Plaintiff,)

v.)

HOLDER CONSTRUCTION GROUP,)
FIDELITY AND DEPOSIT COMPANY)
OF MARYLAND, and ZURICH NORTH)
AMERICAN INSURANCE,)

Defendants.)
_____)

8:05CV324

ORDER OF DISMISSAL

The matter before the court is the plaintiff's notice of dismissal with prejudice.
Filing No. 7. The court finds that this matter should be dismissed with prejudice.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that, pursuant to
FED. R. CIV. P. 41(a), the plaintiff's cause of action against the defendants is hereby
dismissed in its entirety, with prejudice, and with the parties to be responsible for their
own costs and attorney fees.

DATED this 7th day of September, 2005.

BY THE COURT:

s/Joseph F. Bataillon

JOSEPH F. BATAILLON

United States District Judge